

FILED: July 11, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-1384
(CP16-10-000)

APPALACHIAN VOICES; WILD VIRGINIA; WEST VIRGINIA RIVERS
COALITION; PRESERVE GILES COUNTY; PRESERVE BENT MOUNTAIN,
a chapter of Blue Ridge Environmental Defense League; WEST VIRGINIA
HIGHLANDS CONSERVANCY; INDIAN CREEK WATERSHED
ASSOCIATION; SIERRA CLUB; CHESAPEAKE CLIMATE ACTION
NETWORK; CENTER FOR BIOLOGICAL DIVERSITY

Petitioners

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; DEB HAALAND, in
her official capacity as Secretary of the U.S. Department of the Interior; UNITED
STATES FISH AND WILDLIFE SERVICE, an agency of the U.S. Department of
Interior; CINDY SCHULZ, in her official capacity as Field Supervisor, Virginia
Ecological Services, Responsible Official; MARTHA WILLIAMS, in her official
capacity as Director of the U.S. Fish and Wildlife Service

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

O R D E R

Upon consideration of petitioners' motion for stay pending appeal, the court grants the motion and stays respondent United States Fish and Wildlife Service's Biological Opinion and Incidental Take Statement during the pendency of this petition for review.

Entered at the direction of Judge Gregory with the concurrence of Judge Wynn and Judge Thacker.

For the Court

/s/ Patricia S. Connor, Clerk